

Appln No. 10/726,177
Amdt date November 16, 2006
Reply to Office action of June 16, 2006

REMARKS/ARGUMENTS

Claims 1-16 and 18-25 are pending in the application.

The Abstract has been objected to for being too long. Applicants have amended the abstract to overcome this objection.

Applicants have amended claims 3, 4 and 10 to remove reference characters from these claims.

Claims 1-3, 5-16, 18, 19 and 21-25 have been rejected under 35 U.S.C. 102(b) over Glascott (U.S. Publication 2002/0151900). Applicants respectfully traverse this rejection.

Claims 1 and 13 recite an abutment cooperating with the closure element to limit a tilting of the closure element about the rod at the time of final tightening of the closure element in the holding element. Glascott does not disclose or suggest an abutment element to limit the tilting of the closure element as recited in claims 1 and 13.

Referring to FIGS. 1 and 2 of Glascott, an outer nut 38 is fastened to the legs of the receiver 22. Accordingly, the outer nut 38 prevents any splaying of the legs of the receiver 22, and as a result, the internal nut 31 cannot tilt when being fastened in the receiver 22. Furthermore, the part of Glascott to which the Office action refers as the "abutment" is the last surface of the inner threads of the receiver 22. This last surface is downwardly slanted because it is part of the inner thread of the receiver 22. Accordingly, any cooperation of the inner nut 31 with this slanted surface can cause the tilting of the inner nut 31 rather than limiting a tilting of the inner nut 31 as recited in claim 1 of the present application. Additionally, the slanted surface of Glascott to which the Examiner refers is too far below the top of the rod 34. Accordingly, no

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matter how much the inner nut 31 is tightened, it appears from FIGS. 1 and 2 of Glascott that the inner nut 31 cannot reach the slanted surface in order to engage the slanted surface. Applicants also note that the disclosure of Glascott does not have any description regarding an abutment, cooperation of the inner nut 31 with such an abutment, and the corresponding limiting of the tilting of the inner nut 31.

Based on the foregoing, Applicants believe that Glascott does not disclose or suggest an abutment cooperating with the closure element to limit a tilting of the closure element about the rod at the time of final tightening of the closure element in the holding element. Therefore, Applicants believe that claims 1-3, 5-16, 18, 19 and 21-25 are patentable over Glascott.

Furthermore, regarding the rejection of claims 8 and 24, these claims recite a pressure element wherein the abutment is provided at the end of the pressure element. In contrast, in addition to failing to show an abutment as recited in claim 1 as discussed above, Glascott fails to also show a pressure element with an abutment at the end of the pressure element such that the abutment cooperates with the closure element to limit a tilting of the closure element about the rod at the time of final tightening of the closure element in the holding element.

Referring to FIGS. 1 and 2 of Glascott, a pressure disk 28 is disclosed that has an upper end which is shown to be positioned near the bottom of the rod 34 when the rod is in the receiver 22. The position of the upper end of the pressure disk 28 relative to the inner nut 31 provides a large space in the receiver 22 between the pressure disk 28 and the inner nut 31. Accordingly, the inner nut 31 of Glascott does not and cannot cooperate with the upper end of the pressure disk 28 upon tightening of the inner nut 31. Therefore, Glascott fails to disclose or even suggest a pressure element with an abutment at the end of the pressure element such that the abutment cooperates with the closure element to limit a tilting of the closure element about the rod at the time of final tightening of the closure element in the holding element. Applicants respectfully submit that claims 8 and 24 are patentable over Glascott.

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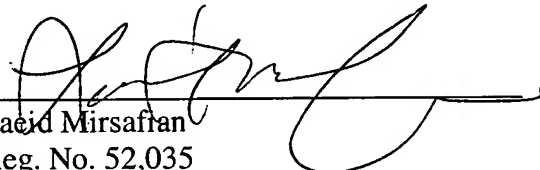
Claim 4 and 20 have been rejected under 35 U.S.C. 103 over Glascott. As discussed above, because Glascott does not disclose or even suggest an abutment cooperating with the closure element to limit a tilting of the closure element about the rod at the time of final tightening of the closure element in the holding element, claims 4 and 20 are also patentable over Glascott.

Based on the foregoing, Applicants respectfully request allowance of the claims.

Respectfully submitted,

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